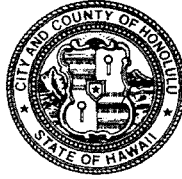


DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 11TH FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8480 • Fax: (808) 768-4567
Web site: www.honolulu.gov



PETER B. CARLISLE
MAYOR

LORI M.K. KAHIKINA, P.E.
DIRECTOR

CHRIS T. TAKASHIGE, P.E.
DEPUTY DIRECTOR

October 15, 2012

LA 12-688.JU

The Honorable Ernest Y. Martin, Chair
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Martin and Councilmembers:

Subject: Kamokila Community Park


We request your consideration of the ensuing dedication document conveying a park lot for public use in Ewa. All improvements have been constructed, completed and certified as meeting City requirements.

(1) Deed conveying Park Lot 15249.

We recommend that the park lot document be approved and accepted by the Council of the City and County of Honolulu, effective as of the date of recordation at the Bureau of Conveyances. Also, accompanying this letter is a map showing the park lot to be dedicated and a copy of the document conveying said park lot.

Upon completion, please forward the document to the Department of Design and Construction, Land Division for further processing.

Respectfully,


Lori M. K. Kahikina, P.E.
Director

LMKK:ju
Enclosures (16)

APPROVED:


Douglas S. Chin
Managing Director

RECEIVED
CITY CLERK
C & C OF HONOLULU
2012 OCT 15 PM 3:44

FARRINGTON HWY

Lot 15249

Kamokila Community
Park

HONOKAI HALE

Maalili Pl

Kaaoao Pl

Laataina Pl

Paala Pl

Paala Ln

Paakai St

Paakai Pl

Laaloa St

LAND COURT

REGULAR SYSTEM

Return By Mail ☒ Pick-Up ☐ To:

City and County of Honolulu
Department of Parks and Recreation
Phone _____

TITLE OF DOCUMENT:

DEDICATION DEED WITH USE RESTRICTION

PARTIES TO DOCUMENT:

GRANTOR: **AINA NUI CORPORATION**, a Hawaii corporation

GRANTEE: **CITY AND COUNTY OF HONOLULU**, a municipal corporation of the
State of Hawaii
Honolulu Hale, Honolulu, Hawaii 96813

TAX MAP KEY(S): (Oahu) 9-1-015-018
Transfer Certificate of Title No. 681,003

(This document consists of 7 pages.)

DEDICATION DEED WITH USE RESTRICTION

KNOW ALL MEN BY THESE PRESENTS:

THIS DEDICATION DEED WITH USE RESTRICTION is entered into on this 2nd day of November, 2011, by **AINA NUI CORPORATION**, a Hawaii corporation ("**Grantor**"), in favor of the **CITY AND COUNTY OF HONOLULU**, a municipal corporation of the State of Hawaii, whose business and post office address is Honolulu Hale, Honolulu, City and County of Honolulu, State of Hawaii ("**Grantee**"),

RECITALS:

Grantor desires to dedicate the Property (defined below) to the Grantee pursuant to and in accordance with the provisions of Article 7 of Chapter 22 of the Revised Ordinances of Honolulu (1990), and the rules promulgated thereunder, all regarding dedication of parks, for use in perpetuity as a park open to the public and known as "Kamokila Community Park".

Grantee is willing to accept dedication of the Property subject to and in accordance with applicable laws and the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the nominal sum of ONE AND NO/100 DOLLAR (\$1.00), to it paid by Grantee, the receipt of which is hereby acknowledged, and in consideration of the receipt of park credits from the Grantee subject to and in accordance with applicable laws, Grantor **DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY** unto the Grantee, its successors and assigns, the property described in **Exhibit "A"** attached hereto and made a part hereof (the "**Property**"); **PROVIDED, HOWEVER, THAT THE FOREGOING CONVEYANCE IS MADE UPON THE EXPRESS CONDITION AND USE RESTRICTION THAT THE PROPERTY BE USED IN PERPETUITY ONLY AS A PARK OPEN TO THE PUBLIC UNDER THE NAME "KAMOKILA COMMUNITY PARK", AND FOR NO OTHER USES, NAMES, OR PURPOSES.**

And the reversions, remainders, rents, issues and profits thereof, and all of the estate, right, title and interest of the Grantor both at law and in equity therein and thereto.

TO HAVE AND TO HOLD the same, together with all buildings, improvements, tenements, hereditaments, rights, easements, privileges and appurtenances thereunto belonging or appertaining or held and enjoyed therewith, unto the said Grantee, absolutely and in fee simple.

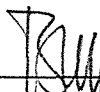
Grantor does hereby covenant and agree with the Grantee that the Grantor has full power and authority to sell and convey the Property described in **Exhibit "A"**, that the Grantor is lawfully seised in fee simple of the Property, that the Property is free and clear of all encumbrances except for the encumbrances mentioned in **Exhibit "A"** and for real property taxes not yet due and payable, and that the Grantor will **WARRANT AND DEFEND** the same unto the Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons, except as aforesaid.


The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individuals or corporations, and their and each of their respective successors and assigns, according to the context thereof.

[the remainder of this page intentionally left blank; signatures on following page]

IN WITNESS WHEREOF, Grantor has caused these presents to be duly executed on the day and year first above written.

AINA NUI CORPORATION, a Hawaii corporation

By 
Name: Bradford J. Myers
Its: President

By 
Name: Stephen H. Kelly
Its: Vice President, Development

Grantor

APPROVED AS TO CONTENTS

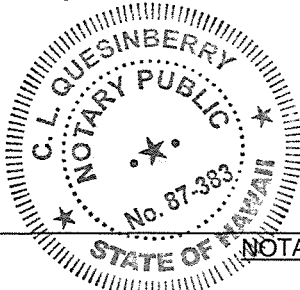
By 
Department of Parks and Recreation

APPROVED AS TO FORM AND LEGALITY


Deputy Corporation Counsel


STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 2nd day of NOVEMBER, 2011, before me personally appeared BRADFORD J. MYERS and STEPHEN H. KELLY, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacity.



C. L. Quesinberry
Name: C.L. QUESINBERRY
Notary Public, State of Hawaii
My commission expires: JULY 15, 2015

NOTARY CERTIFICATION STATEMENT	
Document Identification or Description: DEDICATION DEED WITH USE RESTRICTION	
Document Date: <u>NOVEMBER 2</u> , 2011	
No. of Pages: 5 (without exhibits)	
Jurisdiction (in which notarial act is performed): First Circuit	
<u>C. L. Quesinberry</u> Signature of Notary	<u>NOVEMBER 2, 2011</u> Date of Notarization and Certification Statement
<u>C.L. QUESINBERRY</u> Printed Name of Notary	



(Stamp or Seal)

(Aina Nui Corporation)

EXHIBIT "A"

Description Compared
and Checked
Land Division *ma*

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 15249, area 5.908 acres, as shown on Map 1171, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by **Transfer Certificate of Title No. 681,003** issued to Aina Nui Corporation.

SUBJECT HOWEVER, to the following:

1. Lease of Right of Way dated August 28, 1962, in favor of Hawaiian Electric Company, Inc., filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 297129, the fixed term of which expired upon the termination of the Trust under the Will and of the Estate of James Campbell, Deceased, but continues on a month to month basis, in accordance with the terms set forth therein.

2. Abutter's rights of vehicle access in favor of the State of Hawaii along portion of Farrington Highway, as set forth by Amended Final Order of Condemnation dated February 4, 1976, filed in the Circuit Court of the First Circuit, State of Hawaii, Civil No. 17381, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 758325.

3. Restriction of vehicular access rights, as shown on Map 281, as set forth by Land Court Order No. 47860, filed August 3, 1977.

4. Reservation of "Campbell Estate, upon written request to the State, may relocate, widen or delete the permitted access which may be changed to other uses in the future upon consent of the parties herein, provided that such consent shall not be unreasonably withheld when such change will not affect the safety of the traveling public", as set forth by Land Court Order No. 47860, filed August 3, 1977.

5. Easement for road and water line purposes, as shown on Map 311, as set forth by Land Court Order No. 56980, filed June 24, 1980.

6. Declaration of Conditions (Additional Property) dated January 21, 1998, made by the Trustees under the Will and of the Estate of James Campbell, Deceased, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 2435400.

7. Trustees Limited Warranty Deed with Restrictions, Covenants and Reservation of Rights dated June 25, 2003, by and between the Trustees under the Will and of the Estate of James Campbell, Deceased, as grantors, and Aina Nui Corporation, as grantee, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 2948281.

8. Unilateral Agreement and Declaration for Conditional Zoning dated September 11, 2008, made by Aina Nui Corporation and Kapolei Property Development LLC, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3788915.

End of Exhibit "A"